GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES – AP Reorganisation Act, 2014 – Allocation of employees between Andhra Pradesh and Telangana - Smt. K. Jaga Jyothi, Executive Engineer (adhoc), K.R.Puram and Ex-Officio Superintending Engineer for Zone-III & IV – Cancellation of Adhoc Promotion as Executive Engineer and Repatriation to Parent Department, Telangana State – Orders – Issued.

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5. In the reference 5th read above, based on the above guidelines, the Engineer-in-Chief, Tribal Welfare has sent proposals to repatriate certain Assistant Engineers / Assistant Executive Engineers and Deputy Executive Engineers whose local cadre is in the state of Telangana. Smt. K. Jaga Jyothi, Executive Engineer (I/c) is one among them as her substantive post is Deputy Executive Engineer in Zone-V of Telangana State.

6. Smt. K. Jaga Jyothi, Executive Engineer (I/c) filed OA No.2807/2015. The Hon'ble APAT in its interim orders Dt.11.06.2015 made the following orders:-

> "hence pending further orders, the respondents are directed to maintain status-quo regarding continuation of the applicant in Kurnool and not to proceed with allocation, pending finalization of the seniority in the category of Executive Engineers."

7. Based on the above said interim orders of Hon'ble APAT, the Government issued orders in the reference 7th read above directing the Engineer-in-Chief, Tribal Welfare to repatriate all local cadre employees of Telangana except Smt. K. Jaga Jyothi, Executive Engineer (Incharge) who got status-quo orders in OA.No.2807/2015.

8. Subsequently, in the reference 8th read above, orders were issued promoting Smt. K. Jaga Jyothi, Incharge Executive Engineer as Executive Engineer on Adhoc basis with effect from 11.07.2013 (i.e. from the date of appointing her as Incharge Executive Engineer).

9. The Hon'ble APAT in its order Dt.19.09.2016 in OA.No.2807 of 2015 with VMA.No.1458/2015 filed by Smt. K. Jaga Jyothi, Executive Engineer (Adhoc) vacated the interim order and made the following order:

> *"Admittedly, the applicant is not holding substantive post of Executive Engineer by the appointed day i.e. 02.06.2014 as incharge Executive Engineer. It continued to be so till filing of this Original Application in the year 2015. But subsequent to filing of this Original Application, the applicant was promoted as Executive Engineer on adhoc basis with effect from previous date of 11.07.2013. Therefore, it must be deemed that on the appointed day, the applicant was working as Executive Engineer on adhoc basis, which is a state level post. She has been working as Executive Engineer on adhoc basis against roster point No.2 meant for SC(W) Graduate. She was holding the said post on the appointed day against a substantive or regular post. It attracts latter portion of the above quoted para 18(a) of the principles guiding allocation. Hence, there is no reason why the applicant's allocation shall be stayed.*
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> *Accordingly, the Original Application is dismissed. Interim Order dated 11.06.2015 is vacated. Vacate Miscellaneous Application No.1458/ 2015 is closed. Miscellaneous application No.1306/2016 and VMASR No.6677/2016 are dismissed."*

10. The Hon'ble APAT in their order dt.18.06.2019 in OA No.280/2019 filed by Smt. K. Jaga Jyothi, Executive Engineer (Adhoc) against the Government also reiterated that her substantive post is Deputy Executive Engineer only.

11. As per the instructions issued in the reference 1st read above, even for cases involving temporary promotions have to be referred to DPC. It has been brought to the notice of the Government that the adhoc promotion awarded to Smt. K. Jaga Jyothi, I/c Executive Engineer as Executive Engineer without placing the matter before the DPC.

(Conted..3)

12. In the reference 11th read above, the Chief Engineer (TW) Telangana State has communicated final seniority of Deputy Executive Engineers of Telangana State, in which Smt. K. Jaga Jyothi, Deputy Executive Engineer (TW) was shown at Zone-V, in Telangana State as the individual is Zone-V employee selected through APPSC under non-local, presently working in AP and not yet relieved to Telangana state. The Chief Engineer (TW) Telangana State requested the Engineer-in-Chief, (Tribal Welfare) A.P. to communicate the seniority finalized in respect of Smt. K. Jaga Jyothi, Deputy Executive Engineer (Tribal Welfare) Zone – V, Telangana State (but continuing in A.P. State) (as per Annexure I & II) and send dated acknowledgement to this office. The said list was sent to Smt. K. Jaga Jyothi through registered post.

13. In the reference 12th read above, the Engineer-in-Chief, Tribal Welfare has requested the Government to review the G.O Rt.No.254 T.W (Ser.A1) Dept., Dt.06.07.2016 and issue orders for repatriation of Smt. K. Jaga Jyothi to her parent Zone i.e., Zone-V of State of Telangana for which her substantiate post is Deputy Executive Engineer which is a zonal post.

14. After careful examination of the proposal of the Engineer-in-Chief, Tribal Welfare and keeping in view of the orders of the Hon'ble APAT, AP Reorganisation Guidelines and Rules relating to promotion, Government hereby with draw the G.O 8th read above in which Smt K. Jaga Jyothi, I/c Executive Engineer (whose substantive post is Deputy Executive Engineer) was promoted as Executive Engineer on adhoc basis with effect from 11.7.2013 (i.e., from the date of appointing her as incharge Executive Engineer).

15. Government also hereby order to repatriate Smt K. Jaga Jyothi, I/c Executive Engineer (whose substantive post is Deputy Executive Engineer) to her parent state i.e., Telangana as she was appointed as Assistant Executive Engineer in Tribal Welfare Engineering Department in Zone-V of Telangana State.

16. The Engineer-in-Chief, Tribal Welfare, AP shall take immediate further necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

KANTILAL DANDE
SECRETARY TO GOVERNMENT

To
The individual concerned,
(through the Office of the Engineer-in-Chief, Tribal Welfare, Vijayawada)
The Engineer-in-Chief, Tribal Welfare, Vijayawada.
Copy to:
The Project Officer, ITDA, K.R.Puram.
The Project Officer, ITDA,Nellore,
The Project Officer, ITDA, Srisailam.
The Pay and Accounts Officer, Ibrahimpatnam.
The Principal Secretary to Government,
Tribal Welfare Department, Telangana State.
The Chief Engineer, Tribal Welfare, Telangana.
The P.S. to Deputy Chief Minister (TW).
The P.S. to Secretary to Government (TW).
SF/SCs

//FORWARDED : : BY ORDER//

SECTION OFFICER